
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

CHRISTY BORANDI, and TODD
BORANDI,

Plaintiffs,

v.

USAA CASUALTY INSURANCE
COMPANY,

Defendant.

MEMORANDUM DECISION AND
ORDER DENYING MOTION IN LIMINE
RE: DEFENDANT'S PROPOSED
EXPERT TESTIMONY/REPORT OF
PRISCILLA STIMPSON

Case No. 2:13-CV-141 TS

District Judge Ted Stewart

This matter is before the Court on Plaintiffs' Motion in Limine Regarding Defendant's Proposed Expert Testimony/Report of Priscilla Stimpson.

Plaintiffs request this Court limit Defendant's expert witness, Priscilla Stimpson's testimony, from mentioning, referring to, or attempting to convey to the jury, in any manner, legal opinions, medical opinions or commentary on medical evidence, economic/accounting opinions or commentary on economic/accounting evidence related to Ms. Borandi's claims stemming from the motor vehicle collision of August 15, 2007. Such overly broad exclusion is unwarranted.

Ms. Stimpson's opinions regarding the policies and practices of insurance companies may indeed include reference to medical evidence regarding Christy Borandi's bodily injuries and also economic/accounting principles. Such information may not be used to prove the truth or validity of bodily injuries and damages, but rather to shed light on the insurer's duty to evaluate and investigate an insured's UIM claim. Further, to the extent that Ms. Stimpson's testimony on Utah insurance law, as an expert on insurance, can aid the jury in understanding the

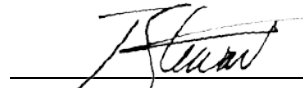
Defendant's policies and practices, the Court will allow the testimony. However, Ms. Stimpson's testimony will not be allowed as evidence or authority on the legality of Utah insurance law. Thus, Ms. Stimpson's testimony will not be excluded nor limited as requested.

It is therefore

ORDERED that Plaintiffs' Motion in Limine (Docket No. 87) is DENIED.

DATED this 19th day of February, 2015.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Ted Stewart", is written over a horizontal line.

Ted Stewart
United States District Judge